

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT**

APPLICANT(S) : Michael Weiss

TITLE : CACHING MECHANISM TO  
OPTIMIZE A BIDDING PROCESS  
USED TO SELECT RESOURCES  
AND SERVICES

APPLICATION NO. : 09/768,129

FILED : January 23, 2001

CONFIRMATION NO. : 3324

EXAMINER : E.G. Milef

ART UNIT : 3628

LAST OFFICE ACTION : March 21, 2007

ATTORNEY DOCKET NO. : PERY 2 00002  
Cleveland, OH 44114  
August 15, 2007

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **March 21, 2007** finally rejecting claims 1-17. An After Final Amendment and Response to Examiner's Action is being filed herewith.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

3. **EXTENSION OF TERM**

☒ Applicants hereby petition the Commissioner under 37 C.F.R. §1.136(a) for a two-month extension of time up to and including August 21, 2007 in which to file the accompanying Notice of Appeal. Payment for the filing of this Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee: \$500.00  
Extension of Time Fee: \$450.00

5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.

Respectfully submitted,

FAY SHARPE LLP



John S. Zanghi, Reg. No. 48,843  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

8/16/07  
Date

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being  
☐ deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.  
☒ transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.

Express Mail Label No.:

Signature: 

Date: 8-20-07

Name: Elaine M. Checovich